

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

KENNETH NICHOLSON, D# NO 91A5751  
PLAINTIFF

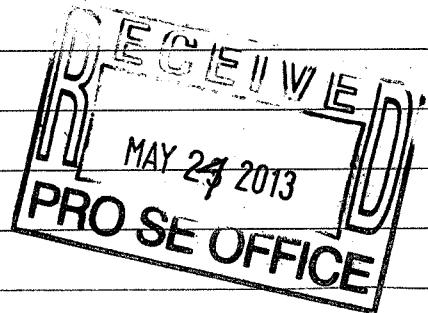
- AGAINST -

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC#  
DATE FILED: 5/24/13

BRIAN FISCHER, COMMISSIONER;  
MICHAEL CAPRA, SUPERINTENDENT;  
WILLIAM KEYSER, D.S.S.;  
E. MEJIA, SECURITY CAPTAIN;  
NEVINS, CORRECTION SERGEANT;  
F. MALAVE, SERGEANT / IGP SUPERVISOR;  
T. SUMPTER-PATTERSON, O.R.C.;  
L. CAMPBELL, S.O.R.C.;  
MAINE, CORRECTION OFFICER;  
DUGGINS, CORRECTION OFFICER;  
MILLER, CORRECTION OFFICER;  
AND IN THEIR OFFICIAL CAPACITIES.

REQUEST APPPOINTMENT  
OF COUNSEL

DEFENDANTS



1-) KENNETH NICHOLSON

2-) I NEED I A LAWYER IN THIS CASE BECAUSE I AM  
A LAME TO THE LAW, AND I AM CURRENTLEY  
ASSIGNED TO PROTECTIVE CUSTODY AND WE / I HAVE  
LITTLE TO NO ACCESS TO THE LAW LIBRARY AND / OR  
LEGAL RE SEARCH.

3-) I HAVE WROTE NUMEROUS LETTERS TO LAWYERS / LAW  
FIRM'S SEEKING REPRESENTATION AND NONE HAVE  
AGREED TO REPRESENT ME.

4-) I NEED AN ENGLISH SPEAKING ATTORNEY

5-) I UNDERSTAND IF A LAWYER VOLUNTEERS TO  
REPRESENT ME AND MY LAWYER LEARNS THAT I  
CAN AFFORD TO PAY FOR A LAWYER, THE LAWYER  
MAY GIVE THIS INFORMATION TO THE COURT.

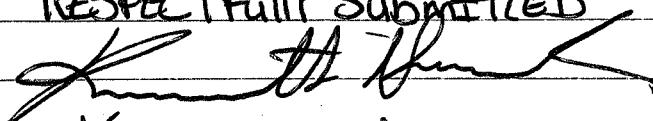
6-) I UNDERSTAND THAT IF MY ANSWERS ON MY REQUEST  
TO PROCEED IN FORMA PAUPERIS ARE FALSE MY CASE  
MAY BE DISMISSED.

7-)

I DECLARE UNDER THE PENALTY OF PERJURY  
THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: MAY, 21, 2013  
ELMIRA, N.Y.

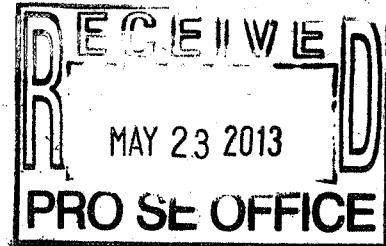
RESPECTFULLY SUBMITTED



Kenneth Nicholson  
Plaintiff Pro se

CC: Counsel for Defendants

Eric T. Schniedermaier Esq



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

KENNETH NICHOLSON, DIN#09-A-5751  
PLAINTIFF,

-AGAINST-

BCIV 0323 (TPG) (KNT)  
REQUEST TO PROCEED IN  
FORMA PAUPERIS

BRIAN FINCHER,  
MICHAEL CAPRA,  
WILLIAM REYSER,  
P. MEJIA,  
KEVING,  
~~EMALAVE~~,  
T. PATTERSON,  
MAINE,  
DUGGINS,  
HILLER,  
(AND THEIR OFFICIAL CAPACITIES)  
DEFENDANT(S),

I, KENNETH NICHOLSON, AM THE PLAINTIFF/PETITIONER IN THE ABOVE ENTITLED CASE AND I HEREBY REQUEST TO PROCEED IN FORMA PAUPERIS AND WITHOUT BEING REQUIRED TO PREPAY FEES OR COSTS OR GIVE SECURITY. I STATE THAT BECAUSE OF MY POVERTY I AM UNABLE TO PAY THE COST OF SAID PROCEEDING OR GIVE SECURITY THEREFOR, AND THAT I BELIEVE I AM ENTITLED TO REDRESS.

(1). I AM NOT PRESENTLY EMPLOYED THEREFOR PARAGRAPH(S) (A) AND (B) NOT APPLICABLE.

(2).

(A). AROUND 2005 I STARTED EMPLOYMENT AND MY TERMINATION WAS SOME WHERE AROUND 2009,  
(B). MY MONTHLY EARNINGS WERE ABOUT \$2,700.00 TO \$ 3,500.00 A MONTH NOT EXACTLY SURE HAVE NOT WORKED IN NEARLY 4-YEARS,

(3). I RECEIVED MONEY FROM THE LAST SOURCES IN THE PAST (12)MONTHS FROM MY WIFE AND OTHER FAMILY MEMBERS PERIODICALLY NOT EXCEDING \$150.00 DOLLARS AT A TIME,

(A). I DO NOT RECEIVE ANY PUBLIC BENEFITS.

(B). I DO NOT RECEIVE INCOME FROM ANY OTHER SOURCE.

(4).I DO NOT HAVE ANY MONEY INCLUDING ANY MONEY IN A CHECKING OR SAVINGS ACCOUNT,

(5).I DO NOT OWN ANY APARTMENT,HOUSE,OR BUILDING,STOCK,BOND,NOTE, AUTOMOBILES OR OTHER PROPERTY,

(6).I DO NOT PAY MORTGAGE ,

(7).I DO NOT PAY MONEY TO SUPPORT ANYONE,

(8).THE COURT SHOULD DEFINITELY CONSIDER THE FACT THAT THE PLAINTIFF IS CONFINED TO PROTECTIVE CUSTODY AND ONLY CURRENTLY RECEIVE \$4.50 EVERY 2-WEEKS FROM THE PRISON IDLE PAY WADEGES DO TO TYPICAL HARDSHIP PLAINTIFF LOVED ONES IS EXPERIENCING AND THAT PLAINTIFF IS ONLY CONFINED TO PROTECTIVE CUSTODY DO TO THE CLAIM(S) ARISING WITHIN THIS COMPLAINT [PAGE 1 OF 2] AND PLAINTIFF RESPECTFULLY ASK THE COURT TO PLEASE ALLOW HIM TO BRING THIS COMPLAINT TO THE COURTS AND PROCEED IN FORMA PAUPERIS STATUS, AND THAT THE COURTS WILL DEFINITELY BE PAID THE \$350.00 FILING FEES OVER THE COURSE OF TIME.AND THAT ALSO PLAINTIFF HAS NOT RECEIVED MONEY FRO FAMILY LOVED ONES OR FRIENDS OR WIFE SINCE SEPTEMBER 2012.

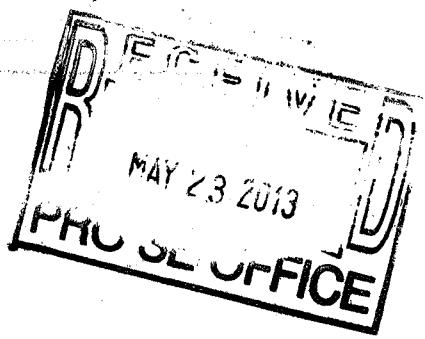
I UNDERSTAND THAT THE COURT SHALL DISMISS THIS CASE IF I GIVE A FALSE ANSWER TO ANY QUESTIONS IN THIS DECLARATION.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

SIGNED THIS 21 DAY OF MAY 2013

  
X Keneth Jackson  
PLAINTIFF PRO SE

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



PRISONER AUTHORIZATION

RE: KENNETH NICHOLSON DIN#09-A-5751 -v- BRIAN FISHER  
PLAINTIFF, MICHAEL CAPRA  
WILLIAM KEYSER  
E. MEJIA  
NEVINS  
**FMADAVE**  
T. PATTERSON  
L. CAMPBELL  
MAINE  
MILLER  
DUGGINS  
DEFENDANT(S),

NOTICE IS HEREBY GIVEN THAT THIS ACTION WILL BE DISMISSED UNLESS PLAINTIFF COMPLETES AND RETURNS THIS AUTHORIZATION FORM TO THE COURT WITHIN FORTY-FIVE(45) DAYS FROM THE DATE OF THIS NOTICE.

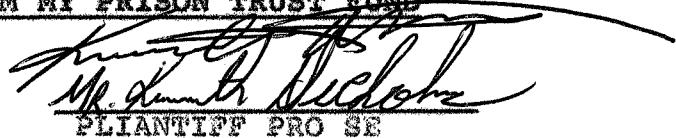
THE PRISON LITIGATION REFORM ACT ("PLRA" OR " ACT ") AMENDS THE IN FORMA PAUPERIS STATUE (28 U.S.C. § 1915) AND APPLIES TO YOUR CASE. UNDER PLRA, YOU ARE REQUIRED TO PAY THE FULL FILING FEE WHEN BRINGING A CIVIL ACTION IF YOU ARE CURRENTLY IF YOU ARE CURRENTLY INCARCERATED OR DETAINED IN A FACILITY. IF YOU DO NOT HAVE SUFFICIENT FUNDS IN YOUR PRISON ACCOUNT AT THE TIME YOUR ACTION IS FILED, THE COURTS MUST ASSES AND COLLECT PAYMENTS UNTIL THE ENTIRE FILING FEE OF \$350.00 HAS BEEN PAID, NO MATTER WHAT THE OUTCOME OF THE ACTION.

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SIGN AND DATE THE FOLLOWING AUTHORIZATION:

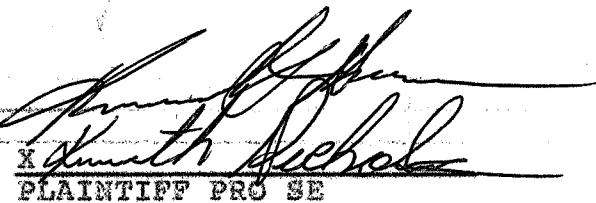
I, KENNETH NICHOLSON, REQUEST AND AUTHORIZE THE AGENCY HOLDING ME IN CUSTODY TO SEND TO THE CLERK OF THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK, A CERTIFIED COPY OF MY PRISON ACCOUNT STATEMENT FOR THE PAST SIX MONTHS. I FURTHER REQUEST AND AUTHORIZE THE AGENCY HOLDING ME IN CUSTODY TO CALCULATE THE AMOUNT SPECIFIED BY 28 U.S.C. § 1915(B), TO DEDUCT THOSE AMOUNTS FROM MY PRISON TRUST ACCOUNT (OR INSTITUTIONAL EQUIVALENT) AND TO DISBURSE THOSE AMOUNTS TO THE UNITED STATES COURT FOR THE SOUTHERN DISTRICT OF NEW YORK, THIS AUTHORIZATION SHALL APPLY TO ANY AGENCY INTO WHO CUSTODY I MAY BE TRANSFERRED.

I UNDERSTAND THAT BY SIGNING AND RETURNING THIS NOTICE TO THE COURT, THE ENTIRE COURT FILING FEE OF \$350.00 WILL BE PAID IN INSTALLMENTS BY AUTOMATIC DEDUCTIONS FROM MY PRISON TRUST FUND ACCOUNT EVEN IF MY CASE IS DISMISSED.

May 27, 2012  
DATE SIGNED

  
PLAINTIFF PRO SE

MAY 21, 2013.  
DATE SIGNED

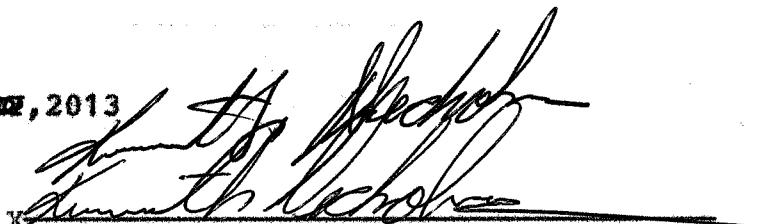
  
X Kenneth Nicholson  
PLAINTIFF PRO SE

N.Y.S.I.D#01236106M  
CORRECTIONAL I.D#09A5751

KENNETH NICHOLSON  
[ DIN#09-A-5751 ]  
ELMIRA CORR FAC  
R.D. BOX 5000  
ELMIRA, N.Y. 14902

I DECLARE UNDER THE PENALTY PERJURY THAT THE FOREGOING IS TRUE  
AND CORRECT.

SIGNED THIS 21, DAY OF ~~JANUARY~~, 2013

  
X Kenneth Nicholson

PLAINTIFF PRO SE SIGNATURE

ELMIRA CORRECTIONAL FACILITY

P.O. BOX 500  
ELMIRA, NEW YORK 14902-0500

NAME: Kenneth Nichols DIN: 016151

ELMIRA



CORRECTIONAL FACILITY

049J82055324  
**\$ 00.460**  
05/22/2013  
Mailed From 14901  
**US POSTAGE**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
PRO-SE OFFICE  
500 PEARL STREET  
NEW YORK, N.Y. 10007

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